



Attorney Docket No.: P-5234-US1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): DALTON, James T.

Examiner: KUMAR, S.

Serial No.: 10/616,500

Group Art Unit: 1614

Filed: July 10, 2003

Title: HALOACETAMIDE AND AZIDE SUBSTITUTED COMPOUNDS AND METHODS OF USE THEREOF

RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop Non-Fee Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Communication is being filed in response to the Restriction Requirement dated January 19, 2005, issued by the United States Patent and Trademark Office in connection with the above-identified Application. A response to the January 19, 2005 Office Action was due February 19, 2005. Applicants are concurrently filing a Petition for a Five-Month Extension of Time, including the required fee. Therefore, a response is due July 19, 2005. Accordingly, this Communication is being timely filed.

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Applicants elect with traverse to prosecute claims 1-13 and 41-42 of Group I drawn to compounds of formula I and compositions comprising the same.

The election is made with traverse for the following reasons. The compound claims of the Examiner's proposal, and compositions comprising the same from the claims of Groups I-III, claims 1-42, are closely related subject matter. In particular groups I and III are remarkably related structures. Applicants therefore maintain that the restriction requirement for these groups is inappropriate. Searches conducted for the compounds will also provide results regarding their use, accordingly claims to groups I-XI should be examined together.

Applicants maintain that the process claims (groups XII-IVX) directed to preparing the compounds of groups I-III should also not be subject to restriction.

For the reasons above, it is respectfully asserted that this restriction requirement is improper, and withdrawal is respectfully requested.

Applicants reserve all rights to file divisional and/or continuation patent applications in non-elected claims.

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If the Examiner has any questions or comments as to this response, the undersigned may be contacted at the address and telephone number below.

Please charge any fees associated with this paper to deposit account No. 50-3355.

Respectfully submitted,

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Dated: July 19, 2005

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